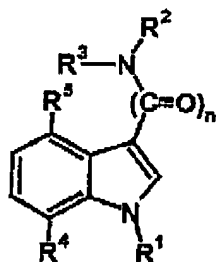


IN THE CLAIMS

1-41 (canceled)

42. (currently amended) A compound of formula 1,



1

wherein

n is 1 or 2, and

R¹

(i) is -C₁₋₁₀-alkyl, which is straight-chain or branched and optionally substituted, once or more than once, by mono-, bi- or tricyclic saturated or monounsaturated or polyunsaturated carbocycles having 3-14 ring members, where the carbocyclic substituents are substituted once or more than once by -NO₂ and can be optionally substituted, once or more than once, by -C₁₋₆-alkyl, -OH, -NH₂, -NHC₁₋₆-alkyl, -N(C₁₋₆-alkyl)₂, -NO₂, -CN, -F, -Cl, -Br, -I, -O-C₁₋₆-alkyl, -S-C₁₋₆-alkyl, -SO₃H, -SO₂C₁₋₆-alkyl, -OSO₂C₁₋₆alkyl, -COOH, -(CO)C₁₋₅-alkyl or -O(CO)C₁₋₅-alkyl, and where the alkyl groups on the carbocyclic substituents can ~~can, for their part,~~

be optionally substituted, once or more than once, by -OH, -SH, -NH₂, -F, -Cl, -Br, -I, -SO₃H or -COOH;

R² and R³

(i) are, in each case independently of each other, hydrogen or -C₁₋₃-alkyl,

which is optionally substituted, once or more than once, by -OH, -SH, -NH₂, -NHC₁₋₆-alkyl, -N(C₁₋₆-alkyl)₂, -NO₂, -CN, -F, -Cl, -Br, -I, -O-C₁₋₆-alkyl, -S-C₁₋₆-alkyl, -phenyl or -pyridyl,

-phenyl,

which is optionally substituted, once or more than once, by -C₁₋₃-alkyl, -OH, -SH, -NH₂, -NHC₁₋₃-alkyl, -N(C₁₋₃-alkyl)₂, -NO₂, -CN, -COOH, -COOC₁₋₃-alkyl, -F, -Cl, -Br, -I, -O-C₁₋₃-alkyl, -S-C₁₋₃-alkyl or -O(CO)-C₁₋₃-alkyl,

-pyridyl,

which is optionally substituted, once or more than once, by -C₁₋₃-alkyl, -OH, -SH, -NO₂, -CN, -COOH, -COOC₁₋₃-alkyl, -F, -Cl, -Br, -I, -O-C₁₋₃-alkyl, -S-C₁₋₃-alkyl or -O(CO)-C₁₋₃-alkyl,

where only one of R² and R³ is hydrogen and where the alkyl groups on the carbocyclic and heterocyclic substituents can, for their part, be optionally substituted, once or more than once, by -OH, -SH, -NH₂, -F, -Cl, -Br, -I, -SO₃H, -COOH, - (CO)-C₁₋₅-alkyl, or -O(CO)C₁₋₅-alkyl, or

(ii) NR²R³ together form a saturated or unsaturated five-membered or six-membered ring which can contain up to 3 heteroatoms, preferably N, S and O, and which is optionally substituted, once or more than once, by -C₁₋₃-alkyl, -OH, -SH, -NO₂, -CN,

-COOH, -COOC₁₋₃-alkyl, -F, -Cl, -Br, -I, -O-C₁₋₃-alkyl, -S-C₁₋₃-alkyl or
-O(CO)-C₁₋₃-alkyl,

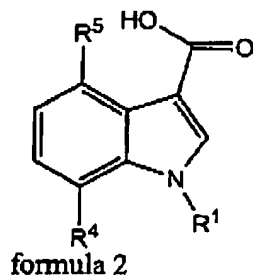
R⁴ and R⁵ are -H or -OH, where at least one of the two must be -OH, or salts of the compounds according to formula 1.

43. (previously presented) A compound according to claim 42, wherein said compound has an asymmetric carbon atom in the D form or L form, or D,L mixtures or, when more than one asymmetrical carbon atom is present, the diastereomeric forms.
44. (previously presented) A compound according to claim 42, wherein n is 2.
45. (previously presented) A compound according to claim 42, wherein R⁴ = -OH and R⁵ = -H.
46. (previously presented) A compound according to claim 42, wherein NR²R³ is a phenylamino or pyridylamino which is substituted by one or more halogen atoms.
47. (previously presented) A compound according to claim 42, wherein R¹ is a substituted benzyl radical.
48. (previously presented) A compound according to claim 47, wherein the benzyl radical contains at least one substituent in the ortho position on the phenyl ring.
49. (previously presented) A compound according to claim 42, selected from the group consisting of,

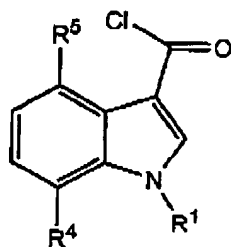
N-(3,5-dichloropyridin-4-yl)-[1-(3-nitrobenzyl)-7-hydroxyindol-3-yl]glyoxylic acid
amide

and physiologically tolerated salts thereof.

50. (previously presented) A process for preparing a compound according to claim 22, comprising reacting an indole-3-carboxylic acid of formula 2:

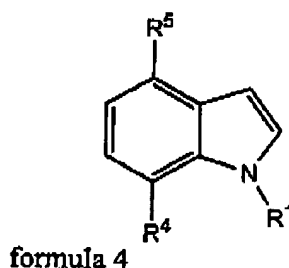


with an acid chloride to form the analogous indole-3-carbonyl chloride of the formula 3

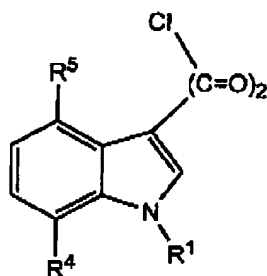


reacting the compound of formula 3 with a primary and a secondary amine to form the corresponding amide and eliminating a protecting group to form a compound of formula 1, wherein $n = 1$.

51. (previously presented) A process according to claim 50, wherein said acid chloride is thionyl chloride or oxalyl chloride to synthesize the indole-3-carbonyl chlorides according to formula 3.
52. (previously presented) A process according to claim 50, wherein said indole-3-carbonyl chloride according to formula 3 are reacted with primary or secondary amines in the presence of an auxiliary base.
53. (previously presented) A process according to claim 50, wherein said indole-3-carbonyla chloride is reacted with a primar or secondary amine in the presence of an excess of amine.
54. (previously presented) A process according to claim 53, wherein the excess amine is a tertiary amine.
55. (previously presented) A process according to claim 52, wherein indole-3-carbonyl chloride is reacted in the presence of an inorganic base.
56. (previously presented) A process for preparing a compound according to claim 42, comprising reacting an indole formula 4



with oxalyl chloride to form the analogous indol-3-ylglyoxylyl chloride of formula 5



formula 5

reacting the compound of formula 5 with a primary or secondary amine to form the corresponding amide and eliminating a protecting group to form a compound according to formula 1, wherein n is 2.

57. (previously presented) A process according to claim 56, wherein indol-3-ylglyoxylyl chlorides according to formula 5 are reacted with primary or secondary amines in the presence of an auxiliary base.
58. (withdrawn) A method for inhibiting PDE 4 comprising administering a sufficient amount of a compound of claim 42 to a subject to inhibit PDE 4.
59. (withdrawn) A method for treating a disease associated with the activity of eosinophils, comprising administering a therapeutically effective amount of a compound according to claim 42 to a subject in need thereof.

60. (withdrawn) A method for treating a disease associated with the activity of neutrophils comprising administering a therapeutically effective amount of a compound according to claim 42 to a subject in need thereof.
61. (withdrawn) A pharmaceutical dosage form comprising at least one compound according to claim 47 and at least one of a customary, physiologically tolerated excipient, diluent or auxiliary substance.
62. (withdrawn) A process for producing a pharmaceutical dosage form comprising admixing at least one compound according to claim 42 with a customary pharmaceutical carrier substance, a diluent or an auxiliary substance to form a therapeutically desirable pharmaceutical preparation.
63. (withdrawn) A method of treating modifying the activity of PDE 4 in a subject in need thereof comprising administering the dosage form of claim 61 to a subject in need thereof, optionally with a different therapeutically active agent.